

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7681 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

PRADYUMAN R RAVAL

Versus

STATE OF GUJARAT

Appearance:

MR RV SAMPAT for Petitioner
MR DA BAMBHANIA for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE
Date of decision: 18/12/97

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. Rule. Shri Bhambhanian waives service of rule on behalf of the respondents. On the request of the counsel for the parties, the matter is taken up for final hearing.

3. The counsel for the respondents admits that the adverse remarks which have been given to the petitioner for the period from 1-4-1993 to 31-3-1994 and from 1-4-94

to 6-8-1994 have already been expunged vide order dated 24th October, 1997.

4. In view of this statement of the counsel for the respondents, the prayer made in para-11(A) of this special civil application does not survive.

5. The counsel for the respondents further admits that these adverse remarks have been expunged only after the petitioner was adjudged unsuitable for promotion to the post of Deputy Conservator of Forests. If it is a fact then naturally the case of the petitioner for promotion to the post of Deputy Conservator of Forests has to be reconsidered with reference to the date on which his juniors were given the promotion after excluding these adverse remarks from his record.

6. In the result, this special civil application is disposed of in the terms that the case of the petitioner for promotion to the post of Deputy Conservator of Forests may be considered by the respondents after excluding these adverse remarks within a period of four months from the date of receipt of writ of this order. In case the petitioner is not adjudged suitable for promotion then a reasoned order may be passed and copy of the same may be sent to the petitioner. The special civil application and rule stand disposed of accordingly.

zgs/-